

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

CELSIUS NETWORK INC., et al.,

Defendants.

Case No. 1:23-cv-06009

STATE OF TEXAS)
)
COUNTY OF HARRIS)

**AFFIDAVIT OF RICH CUNNINGHAM IN SUPPORT OF
MOTION TO APPEAR *PRO HAC VICE***

I, Rich Cunningham, pursuant to Local Rule 1.3(c), being duly sworn, hereby depose and testify as follows:

1. I am a partner with the law firm of Kirkland & Ellis LLP. I submit this Affidavit in support of my Motion for Admission *Pro Hac Vice* in the above-captioned matter.
2. As shown in the Certificates of Good Standing annexed hereto as Exhibit A and B, I am a member in good standing of the Bars of the State of Colorado and the District of Columbia Court of Appeals.
3. I have never been convicted of a felony.
4. I have never been censured, suspended, or disbarred or denied readmission by any court.
5. There are no pending disciplinary proceedings presently against me in any state or federal court.

Dated: July 20, 2023

Respectfully submitted.

/s/ Rich Cunningham

Rich Cunningham, P.C. (*pro hac vice pending*)

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**ATTORNEY FOR DEFENDANTS
CELSIUS NETWORK INC.; CELSIUS
NETWORK LLC; CELSIUS
NETWORKS LENDING LLC; CELSIUS
LENDING LLC; CELSIUS KEYFI LLC;
CELSIUS MINING LLC; CELSIUS US
HOLDING LLC; CELSIUS US LLC;
AND CELSIUS MANAGEMENT CORP.**

SWORN to before me this 20 th day of July 2023.



Shannon Paige
NOTARY PUBLIC, STATE OF TEXAS